

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

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|---------------------|---|--------------------------|
| IN RE: | § | |
| | § | CASE NO. 06-33618 |
| | § | |
| KEVIN PRESTO | § | CHAPTER 7 |
| | § | |
| DEBTOR | § | |
| | § | |

**DEBTOR, KEVIN PRESTO, RESPONSE TO THE OFFICIAL
EMPLOYMENT-RELATED ISSUES COMMITTEE OF ENRON CORP.'S MOTION TO
COMPEL COMPLIANCE WITH BANKRUPTCY LOCAL RULE 1009(b)**

Comes now Debtor, Kevin Presto ("Debtor") and files this his response to Enron's Motion to Compel Compliance with Bankruptcy Local Rule 1009(b). Kevin Presto asserts that he will comply with Bankruptcy Local Rule 1009(b).

1. Debtor admits allegations made by Movant, Enron Employee Committee (hereafter "Movant") in paragraph one.
2. Debtor admits the first sentence of Movant's paragraph two. Debtor admits that he did not redline the few amendments made vis a vis the amendments filed with the court on September 8, 2006; however, Debtor will refile the amendments and redline same, as Debtor has every intention of complying with Local Rule 1009(b).
3. Debtor admits the first sentence of Movant's paragraph three. Given Debtor's need to make several additional adjustments to his pleadings, Debtor will comply with Local Rule 1009(b). Debtor denies accusation in sentence two of paragraph three, as at no time does Debtor intend to be recalcitrant nor ubiquitous in following the rules of court in this proceeding.
4. Debtor does not believe it will be necessary for Movant to secure a court order compelling Debtor's compliance with Local Rule 1009(b) and further believes Movant's filing of this motion is unnecessary and calculated to increase costs and take of this court's time for no real justifiable reason.

AFFIRMATIVE RELIEF SOUGHT

5. Debtor avers that all amendments will be redlined, filed, and served upon all parties entitled to notice before the court sets a hearing. Hence, Debtor avers that no hearing will be necessary, and that Movant's motion should be dismissed.

Wherefore, premises considered, Debtor prays that relief be granted for Debtor, and that Movant's motion be denied.

Signed this the 12th day of October 2006.

Respectfully submitted,

/s/David N. Ziegler

David N. Ziegler

State Bar No. 22262300

770 South Post Oak Lane, Suite 320

Houston, Texas 77057

Ph. (713) 965-0090

Fax (713) 877-1795

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Response to The Official Employment-Related Issues Committee of Enron Corp.'s Motion To Compel Compliance With Bankruptcy Local Rule 1009(b) was served upon all parties that were not notified by ECF per attached list, by first class mail, postage prepaid, on this the 12th day of October 2006.

/s/David N. Ziegler

David N. Ziegler

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**ORDER GRANTING THE OFFICIAL EMPLOYMENT-RELATED ISSUES
COMMITTEE OF ENRON CORP.'S MOTION TO COMPEL COMPLIANCE WITH
BANKRUPTCY LOCAL RULE 1009(b)**

On this day came for consideration the Official Employment-Related Issues
Committee of Enron Corp.'s Motion to Compel Compliance with Bankruptcy Local Rule
1009(b). After consideration of the motion and Debtor, Kevin Presto's response, the
Court is of the opinion that the motion is not meritorious and is hereby denied.

It is so ordered.

UNITED STATES BANKRUPTCY JUDGE
HONORABLE JEFF BOHM